

AO 300 (12/03)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
270 Madison Avenue
New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS LEVER FUND and the "MFS FUND

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHAMES, ERVIN R. PARKS, LAWRENCE H. COHN, WILLIAM R. GUTOW, J. ATWOOD IVES, ARBY N. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POOSKY, J. DALE SHERAST, KLAIRE B. SMITH, MARK SMITH, JOHN DOME 1-50, JOHN DOME 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the
District of Massachusetts

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 16 Dec 2003
(DATE REQUEST WAS SENT)
or within 90 days after that date if the request was sent outside the United States.

January 15, 2004
DATE

Carisa A. Klemeyer
SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for xx Lawrence H. Cohn
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver. It is not good cause for a failure to waive service that a party believes that the complaint is unfounded or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

AO 396 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
 270 Madison Avenue
 New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

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STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the "MFS FUND
 VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHAW, ERVIN S. PARKS, LAWRENCE H. COHN, WILLIAM S. GUTOW, J. ATWOOD IVES, ARBY H. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POOSU, J. DALE SHERBATT, BLAINE S. SMITH, RAND SMITH, JOHN DOES 1-50, JOHN DOES 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the

District of Massachusetts

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motion under Rule 12 is not served upon you within 60 days after

16 Dec 2003

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE

Carisa A. Klemeyer
 SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for William R. Gutow
 (TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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AO 399 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
270 Madison Avenue
New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

2004 JAN 20 P 3:05

I acknowledge receipt of your request that I waive service of a summons in the action of
STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the "MFS FUND
VS.
MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. HALLAM, JEFFREY L. SHAMES, KEVIN R. PARKER, LAWRENCE R. COHN, WILLIAM R. GUTOW, J. ATWOOD IVES, ARDY R.
O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POORU, J. DALE EMBERTT, BLAINE R. SMITH, WARD SMITH, JOHN DOES 1-50, JOHN DOES 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the
District of Massachusetts

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January 15, 2004
DATE

Carisa A. Klemeyer
SIGNATURE
Printed/Typed Name: Carisa A. Klemeyer
As counsel for J. Atwood Ives
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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AO 399 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
270 Madison Avenue
New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

2004 JAN 20 P 3:05

DISTRICT COURT

I acknowledge receipt of your request that I waive service of a summons in the action of STAVO BRUCKNER, derivatively on behalf of the MPFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR GROUP and the "MPFS FUND"

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHANES, ERVIN B. PARKS, LAWRENCE E. COHN, WILLIAM E. GUTOW, J. ATWOOD IVES, ARRY H. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POORVU, J. DALE EBERHART, BLAINE E. SMITH, NALD SMITH, JOHN DORE 1-50, JOHN DORE 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the
District of Massachusetts

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16 Dec 2003

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE

Carisa A. Klemeyer
SIGNATURE

Printed/Typed Name: Carisa M. Klemeyer

As counsel for xxx Lawrence T. Perera
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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AO 389 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
 270 Madison Avenue
 New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

2004 JAN 20 P 3:05

FILED
CLERK'S OFFICE
U.S. DISTRICT COURT
DISTRICT OF MASS.

I acknowledge receipt of your request that I waive service of a summons in the action of
 STAVO BRUCKNER, derivatively on behalf of the MPS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST, and the MPS FUND
 VS.
 MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHANNON, KEVIN R. PARKER, LAWRENCE E. COHEN, WILLIAM R. GUTOW, J. ARTHUR IVES, ARTHUR M. O'NEILL, LAWRENCE T. PERREA, WILLIAM J. POOREY, J. DALE SUMMATT, BLAINE R. SMITH, WARD SMITH, JOHN DORS 1-50, JOHN DORS 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the
 District of Massachusetts

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

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 (DATE REQUEST WAS SENT)
 or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE

Carisa A. Klemeyer
 SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for ex Abby M. O'Neill
 (TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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AO 399 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: **Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks**
270 Madison Avenue
New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of
STAVO BRUCKNER, derivatively on behalf of the **MPS CAPITAL OPPORTUNITIES FUND**, the **MASSACHUSETTS INVESTOR TRUST** and the **"MPS FUND**

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLON, JEFFREY L. SEMMES, KEVIN E. PARKS, LAWRENCE E. CORRY, WILLIAM E. GUYON, J. ATWOOD IVES, ARRY H. O'BRIEN, LAWRENCE T. PERERA, WILLIAM J. POORVU, J. DALE SHERBATT, BLAINE R. SKIYE, WARD SMITH, JOHN DONS 1-10, JOHN DONS 11-100

(CAPTION OF ACTION)

which is case number **03-12483 MEL** in the United States District Court for the

District of **Massachusetts**

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

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or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE

Carisa A. Klemeyer

SIGNATURE

Printed/Typed Name: **Carisa A. Klemeyer**

As **counsel for** **xx** **William J. Poorvu**
 (TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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AO 388 (12/83)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
270 Madison Avenue
New York, New York 10016

FILED
CLERKS OFFICE

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of DISTRICT COURT
STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the "MFS FUND

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHANES, KEVIN E. PAKEN, LAWRENCE E. COHEN, WILLIAM R. GUTOW, J. ANTHONY IVES, ARBY M. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POORVO, J. DALE SHERRATT, BLAINE E. SMITH, MARK SMITH, JOHN DORE 1-80, JOHN DORE 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL In the United States District Court for the

District of Massachusetts

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

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January 15, 2004

DATE

Carisa A. Klemeyer
SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for xx J. Dale Sherratt
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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AO 389 (12/93)

WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks
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 New York, New York 10016

FILED
CLERK'S OFFICE

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of STAVO BRUCKNER, derivatively on behalf of the MPS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the "MPS FUND

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, FIVE LIFE FINANCIAL INC., JOHN W. BALKEN, JEFFREY L. SHAMES, KEVIN E. PARKS, LAWRENCE E. COHN, WILLIAM E. GUTOW, J. ATWOOD IVES, ARBY M. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POOTYU, J. DALE SUBBATT, BLAINE E. SMITH, WARD SMITH, JOHN DOSS 1-80, JOHN DOSS 51-300

(CAPTION OF ACTION)

which is case number 03-12483 NOEL in the United States District Court for the

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January 15, 2004
 DATE

Carisa A. Klemeyer
 SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for Ward Smith
 (TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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VS.

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(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the

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Carisa A. Klemeyer
 SIGNATURE
 Printed/Typed Name: Carisa A. Klemeyer
 As counsel for xx Elaine R. Smith
 (TITLE) (CORPORATE DEFENDANT)

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Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP

FOUNDED 1888

270 MADISON AVENUE
NEW YORK, NY 10016

212-545-4600

WWW.WHAFH.COM

SYMPHONY TOWERS
750 B STREET - SUITE 2770
SAN DIEGO, CA 92101
619-239-4599

625 NORTH FIVE AVENUE
9TH FLOOR
WEST PALM BEACH, FL 33401
561-833-1776

WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLC
656 WEST RANDOLPH STREET, SUITE 500W
CHICAGO, IL 60661
312-466-9200

DIRECT DIAL 212-545-4600
FACSIMILE 212-545-4377
jweiss@whafh.com

January 16, 2004

JOHN L. FREEMAN
EDGAR J. NATHAN, 3RD
CHARLES H. BALLER
DAVID A. RUTTENBERG
PETER L. KLAUSNER*
DANIEL W. KRASNER
FRED T. ISQUITH
STUART M. SAFT*
ERIC B. LEVINE
JEFFREY G. SMITH†
FRANCIS M. GREGOREK†
MARY JANE FAIT*
ROBERT D. STEELE
MARK C. SILVERSTEIN
ELI D. GREENBERG
PETER C. HARRAR
LAWRENCE P. KOLKER
MARK C. RIFKIN*
JEFFREY M. SCHWARTZ
MICHAEL JAFFE†
MARIA I. BELTRANI*
MICHAEL E. FLEISS
BETSY C. MANIFOLD†
ALEXANDER H. SCHMIDT
JEFFREY S. REICH*
GREGORY M. NESPOLE
DAVID L. WALES
FRANCIS A. BOTTINI, JR.▽

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U.S. DISTRICT COURT
DISTRICT OF MASS

MR. JOSHUA ABER
CARL R. SLOAN
ROBERT B. WEINTRAUB
ROBERT ABRAMS
OF COUNSEL

DEMET BASAR
ALAN McDOWELL□
ADAM J. LEVITT†
JULIE M. SULLIVAN
LINDA A. REDLISKY
NANCY S. PITKOFSKY
STEVEN D. SLADKUS
LISA A. LOWENTHAL
MICHAEL C. MULÉ
RACHELE RICKERT*
BRIAN S. COHEN
THOMAS H. BURT
JILL H. BLUMBERG*
MARK A. HAKIM
SCOTT J. FARRELL
KATHERINE B. DUBOSE
KATE M. MCGUIRE
GUSTAVO BRUCKNER
STACEY T. KELLY
RICHARD O. POMERANTZ
STEFANIE A. LINDEMAN
MICHAEL J. MISKE
TAMARA E. GROSS
CHRISTOPHER S. HINTON

ALSO ADMITTED
*FL, TCA, *IL
ONLY ADMITTED
▽CA, †IL, □VA, ◇NJ & PA

Clerk of the Court
Massachusetts Federal Court
1 Courthouse way
Boston MA 02210

Re: MASSACHUSETTS FINANCIAL SERVICES 03-12483 mel

Gentlemen;

Please file these waivers of service and return to us the copies stamped as filed in the enclosed envelope. Thank you.

Sincerely;

Joseph Weiss
Legal Assistant